

R E M A R K S

This is a reply to the Office Action mailed September 30, 2003 with a shortened statutory response period that ended on December 30, 2003. A *Petition to Revive Unintentionally Abandoned Application* and a *Request for Continued Examination* and the corresponding fees accompany this response. The Commissioner is hereby authorized to charge any additional fees to Deposit Account number 02-1818.

Claims 1-11, 13-33 and 35-41 are pending in this application.

Claims 1-3, 7-25 and 38-41 were rejected under 35 U.S.C. §102(a) as anticipated over PCT Publication No. WO 95/13918 to Rosenbaum (*Rosenbaum*). Claims 9-11 and 31-33 were rejected under 35 U.S.C. § 103(a) as being obvious over *Rosenbaum* in view of European Patent Application No. 556,034 to Sudo (*Sudo*). Claims 21 and 35-37 were rejected under 35 U.S.C. § 103(a) as being obvious over *Rosenbaum* in view of U.S. Patent No. 5,928,740 to Wilhoit et al. (*Wilhoit*). Applicants respectfully traverse and disagree with these rejections as *Rosenbaum*, *Sudo* and *Wilhoit*, either alone or in combination, fail to teach or suggest the subject matter recited in the present claims. *Rosenbaum*, *Sudo* and *Wilhoit*, either alone or in combination, fail to teach or suggest a film layer composed solely of two components wherein one component is an ethylene α-olefin copolymer with a density of 0.915g/cc or an ionomer as recited in the present claims. *Rosenbaum*'s radio frequency is a four component layer and teaches away from the recited two component layer. *Sudo* discloses a cyclic resin composition that may contain an olefin resin. *Sudo*, page 8 lines 37-41. *Sudo*, however, has no disclosure directed to a composition that contains either an ethylene α-olefin copolymer with a density of 0.915g/cc or an ionomer. *Wilhoit*'s heat sealing film layer requires at least three components and teaches away from the recited two component layer. *Wilhoit*, col. 10 lines 26-31.

Accordingly, Applicants respectfully submit that *Rosenbaum*, *Sudo* and/or *Wilhoit* fail to teach or suggest the subject matter of the present claims. *Rosenbaum* and *Wilhoit* fail to render obvious the claimed invention as defined by claims 21 and 35-37 for at least these reasons.

For the foregoing reasons, Applicants respectfully submit that the present application is in condition for allowance and earnestly solicit reconsideration of same.

Respectfully submitted,
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BY



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